

9 FAM 42.66 Procedural Notes

9 FAM 42.66 PN1 Form OF-157, Medical Examination for Visa Applicants

(TL:VISA-96; 10-7-94)

Consular officers shall ensure that the results of medical examinations are recorded on Form OF-157, Medical Examination for Visa Applicants. [See section 9 FAM 40.11 Exhibit I.]

NOTE: Form OF-157 is outdated and will be revised in the near future.

9 FAM 42.66 PN2 Precautions Reducing Fraud in Medical Examinations

9 FAM 42.66 PN2.1 Verifying Identity

(TL:VISA-18; 12-12-88)

Consular officers shall take every possible safeguard to verify that the person who is examined by the physician is in fact the visa applicant. The consular officer shall take appropriate steps to preclude the substitution of persons at medical examinations or other fraud. [See section 9 FAM 42.66 N4 and 9 FAM 42.66 PN2 sub-notes below.]

9 FAM 42.66 PN2.2 Physician's Responsibilities Concerning Alien's Identity

(TL:VISA-32; 5-30-90)

The post shall provide the instruction sheet to the alien outlining medical examination requirements and procedures which should convey to the examining physician the need for careful comparison of the identity of the visa applicant with the photograph attached to the alien's passport or with other documents of identity to prevent potential fraud. The instruction sheet shall also include a requirement that the physician endorse Form OF-157, Medical Examination for Visa Applicants, as follows:

**I certify that the person covered by this passport
is the bearer of passport no. _____ issued by
_____(authority)_____ on ____ (date)_____ .**

Instruction sheets shall require the applicant to present the instruction sheet and the applicant's passport to the physician to enable the latter to comply with these procedures.

9 FAM 42.66 PN2.3 X-rays and Other Medical Documents

Referring to Specific Alien

(TL:VISA-32; 5-30-90)

It is important that the report of the serological and other tests, particularly the X-ray films, include the name of the alien examined to prevent document substitution. The consular officer shall instruct a panel physician to follow the procedure set forth in 9 FAM 42.66 PN2.2 above whenever referring a visa applicant to another physician or to a laboratory for an X-ray examination or laboratory test. The consular officer shall also instruct the physician or laboratory to which the alien is referred to take similar care in establishing the visa applicant's identity.

9 FAM 42.66 PN2.4 Cases Involving Class A or Class B Medical Condition

(TL:VISA-32; 5-30-90)

In cases where a Class A or Class B medical condition is detected, the panel physician shall not give the medical report to the applicant but shall ensure that it is delivered directly to the consular officer, except in cases where the procedure is impractical. In those rare instances where it is necessary for the applicant to take the medical report to the consular officer, the panel physician must ensure that the report is placed in a sealed envelope in such a way so that the consular officer can easily determine if it has been opened. In cases where no Class A or B condition is detected the panel physician may give the medical reports to the applicant to hand carry to the interview. [See 9 FAM 42.66 PN3 below.]

9 FAM 42.66 PN3 Cases Not Involving Class A or B Tubercular Conditions

(TL:VISA-96; 10-7-94)

The alien need not hand-carry the X-ray to the port of entry except in cases involving a Class A or B tubercular condition. The post shall include Form OF-157, Medical Examination for Visa Applicants, in the visa as a supporting document. [See section 9 FAM 40.11 N4.3 for description of Class A and B conditions.] It is not necessary to grommet a separate envelope to the visa. The consular officer shall instruct the panel physician to give the X-ray directly to the alien, obviating the need for the immigrant visa section to handle it. If, however, the X-ray is hand-carried or sent to the consular office, the consular officer shall give it to the applicant with a mimeographed notice reading:

Retain this X-ray as an important record of your physical condition at the time of the medical examination. Take your X-ray to the United States as a part of your permanent health record.

9 FAM 42.66 PN4 Alien Having Diagnosed or Suspected Class A or B Tuberculosis

9 FAM 42.66 PN4.1 Refusal Procedures for Aliens with Tuberculosis

(TL:VISA-96; 10-7-94)

CDC guidelines define Class A tuberculosis, for which a waiver is required, as infectious tuberculosis. [See section 9 FAM 40.11 N5.2 and section 9 FAM 42.66 N2.] The medical examination will not be considered complete, and the consular officer shall not consider a waiver for an applicant afflicted with Class A infectious tuberculosis until the applicant receives the recommended treatment in accordance with the current "Technical Instructions for Medical Examination of Aliens" and has had negative sputum smear examination for acid-fast bacilli on three consecutive days.

9 FAM 42.66 PN4.2 U.S. Military Institution Acceptable for Medical Treatment

(TL:VISA-96; 10-7-94)

While the use of U.S. military facilities and physicians for visa eligibility medical examinations is not available to alien dependents of U.S. military personnel, the treatment of tuberculosis at any military institution designated by the Surgeon General of any of the U.S. Armed Services, or by the Chief Surgeon of any major overseas Army command, is acceptable to USPHS. A statement from the Surgeon General or a Chief Surgeon that the alien will be admitted for treatment may be accepted as meeting the requirements of INA 40.11. The name and address of the military hospital in the United States where the treatment will be provided must be shown on Section B of Form I-601.

9 FAM 42.66 PN4.3 Disposition of Documents After Visa Issuance

(TL:VISA-96; 10-7-94)

At the time of visa issuance the consular officer shall give to the alien the sealed envelope containing all available x-ray films pertaining to the case with the instructions to hand-carry the envelope to the United States and deliver it to an official at the hospital to which the alien has agreed to report directly upon entering the United States. The envelope must be plainly marked:

**For delivery by (alien's name) to the
(name of hospital agreed on) as soon
as possible after entry into the
United States.**

9 FAM 42.66 PN5 Medical Examination of Applicants in United States

(TL:VISA-96; 10-7-94)

Visa medical examinations may not be conducted in the United States. The post shall inform an alien pursuing a visa application abroad while physically present in the United States that the medical examination will be conducted by a panel physician who has been designated by the visa issuing post to conduct medical examination of aliens in the country in which the alien applies for a visa.

9 FAM 42.66 PN6 Petition Approvals Conditioned Upon Submission of Satisfactory Blood Test Reports

(TL:VISA-18; 12-12-88)

See section 9 FAM 42.41 PN4.

9 FAM 42.66 PN7 Immigrants Advised to Carry Immunization and Other Records to United States

(TL:VISA-32; 5-30-90)

a. Every state in the United States now requires that children have a record of complete immunization at the time of a child's first enrollment into school. In most states, this applies to transfer students entering any grade. Therefore, the U.S. Public Health Service (USPHS) strongly recommends that children entering the country should either have evidence of immunity consisting of physician documentation of prior disease, or a record of immunizations.

b. Panel physicians shall inform immigrant visa applicants at the time of examination that problems may be encountered should they enter the United States without proper health records and certifications of vaccinations, and they shall urge the applicants to obtain such documents from their private physicians, local health departments, or schools prior to departure.

9 FAM 42.66 PN8 Use of Form I-724

(TL:VISA-96; 10-7-94)

INS plans to replace the outdated Form I-601 with a new Form I-724, which will replace all existing waiver forms. Until the new Form I-724 is approved, Form I-601 should continue to be used.